

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DERRICK BURROUGHS,

Plaintiff,

-v-

FEDERAL EXPRESS CORP. and
JOHN DOES 1–10,

Defendants.


18 Civ. 8641 (PAE) (SN)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court has received the enclosed letter from *pro se* plaintiff Derrick Burroughs, requesting that the Court vacate its March 31, 2020 opinion, Dkt. 25, adopting the Report and Recommendation of the Honorable Sarah Netburn, Magistrate Judge, Dkt. 23. The Court appreciates Mr. Burroughs' letter and wishes him well. However, for the reasons set forth in the Court's March 31, 2020 opinion, Mr. Burroughs does not state a claim against defendants upon which relief can be granted. *See* Dkt. 25. Indeed, Judge Netburn went well beyond Mr. Burroughs' listed causes of action to analyze whether he had any potential employment-related cause of action against defendants, thoughtfully finding that Mr. Burroughs had none. *See* Dkt. 23. Accordingly, the Court denies Mr. Burroughs' request; this case remains closed. The Clerk of Court is respectfully requested to mail this order to Mr. Burroughs at the address on file.

SO ORDERED.


Paul A. Engelmayer
United States District Judge

Dated: June 12, 2020
New York, New York

Honorable Judge Paul Englemeyer,

I am appealing to your compassion and empathy because I am in a technical bind. I recognize that you did your best to bring it to my attention the errors from my case and give me a fair chance to correct them. But due to my lack of legal knowledge and being a high school dropout I wasn't able to understand the legally terminology to properly represent myself. (Case number: 18CV8641)

After failing to find a competent attorney who was willing to represent me, I was obligated to accept the help of a family member in initiating the lawsuit. However, the pro se complaint was severely defective and failed to clearly state the merits of my case. I was devastated when the complaint was dismissed with prejudice, due to hearsay and speculation. I was confused because I didn't understand how I prevailed with the administrative judge in unemployment court. I felt that she recognized my merit and allowed me to speak freely and in a way that I felt comfortable. I am asking if there is any way that I can be allowed to appear in court to plead my case. I represented myself, alone against seasoned lawyers who were highly versed in how to correctly argue and speak with the appropriate language and expressions to be considered knowledgeable. I am not equipped to function in a sophisticated environment and I am a victim.

Fed Ex terminated me without following the proper procedure for termination embodied in their manual and without giving any reason for said termination. In desperation, I reached out to family members to try to obtain assistance when they were not equipped to provide it. I had no mentor to guide me on how to represent the truth of my case in a straightforward matter. In my recent case studies, I am seeing that officers are getting their jobs back because they were not given due process rights. Why am I not allowed that same privilege of rights?

Allowing family members to provide input without a legal background ruined any opportunity I had by using the wrong arguments and not properly communicating the truth of my situation. I was too naive and incompetent to appreciate the guidance you tried to provide me as I did not understand what was being said. I firmly believe if given the chance to appear in court and present my argument to you that you will see that I am just an average, human being who was caught in a situation after having an unblemished record. I was bewildered by such a sudden accusation after years of loyalty and service.

When I was demanded into an interrogation by these threatening individuals from my job, I was scared to speak to them because I was worried about incriminating myself and losing the only means of income that I had. The private security insisted on recording everything which felt petrifying to me. Had management asked to interview me personally to get all of the details in a civilized setting I would have gladly provided all of the details. However, during the interrogation I was pulled into a room with people that I had no relationship to and advised that I needed to provide details for a missing package that was never in my possession to begin with. The situation was handled aggressively and I was treated as if I was guilty already without any proof. They never conducted any investigation whatsoever and just a week after the non-punitive suspension I was terminated without the requisition of the termination letter or any verifiable proof that I was guilty. Moreover, I was humiliated by asking to appear in person wearing full uniform, only to be told on the day I arrived, expecting to resume work that I was terminated. My manager handed me a termination letter and asked to return my uniform there and then. They subjected me to this treatment in front of my peers. I have no doubt that if you were to allow me the opportunity to present my case to you that you would understand the injustice that has been administered by FedEx. If there is any conceivable way that you would find it in your heart to grant me

Received 6/11/2020
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this chance to have my name restored and vacate the ruling due to technical lack of information and review the full details of the undisputed merits of my case I would greatly appreciate the opportunity.

Sincerely,

A handwritten signature in black ink, appearing to read "Derrick Burroughs", with a large, stylized flourish at the end.

Derrick Burroughs

Derrick Burnoughs
688 St. Nicholas Ave
Apt. 24 New York, NY 10032

Received 6/11/2020
MAY

The honorable Paul A. Engemann
at the United States
Courthouse for the
Southern District of
New York
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